



PTO/SB/06a (10-08)

Approved for use through 11/30/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

## Complete if Known

Application Number	10/781,507-Conf. #2937
Filing Date	February 18, 2004
First Named Inventor	Rafail Zubok
Art Unit	3733
Examiner Name	J. L. Cumberledge
Attorney Docket Number	SPINE 3.0-455 CIP CONT VI

Sheet	1	of	5
-------	---	----	---

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
/P.P./	AA*	US-2001/0027343-A1	10-04-2001	Keller	
	AB*	US-2002/0035400	03-21-2002	Bryan et al.	
	AC*	US-2002/0082597-A1	06-27-2002	FRASER	
	AD*	US-2002/0107572-A1	08-08-2002	Foley et al.	
	AE*	US-2002/0123750-A1	09-05-2002	Eisermann et al.	
	AF*	US-2002/0193880-A1	12-19-2002	Fraser	
	AG*	US-20020004683	01-10-2002	Michelson	
	AH*	US-2003/0028249-A1	02-06-2003	Baccelli et al.	
	AI*	US-2003/0045939-A1	11-11-2003	Casutt	
	AJ*	US-2003/0060886-A1	03-27-2003	Van Hoeck et al.	
	AK*	US-2003/0069586-A1	04-10-2003	Errico et al.	
	AL*	US-2003/0100949-A1	05-29-2003	Michelson	
	AM*	US-2003/0109928-A1	06-12-2003	Pasquet et al.	
	AN*	US-2003/0120344-A1	06-26-2003	Michelson	
	AO*	US-2003/0135278-A1	07-17-2003	Eckman	
	AP*	US-2003/0176921-A1	09-18-2003	Lawson	
	AQ*	US-2003/0176922-A1	09-18-2003	Lawson et al.	
	AR*	US-2003/0181982-A1	09-25-2003	Kuslich	
	AS*	US-2003/0191534-A1	10-09-2003	Vliet et al.	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
/P.P./	BA	FR-2 718 635-A1	10-20-1995	Axcyl Medical		✓
	BB	WO-03/084449-A1	10-16-2003	Cool Brace et al.		
	BC	WO-94/04100-A1	03-03-1994	Sofamor et al.		
	BD	WO-01/01893	01-11-2001	Spine Solutions Inc et al.		
	BE	FR-2 730159-A1	08-09-1996	Teule Jean Germain		✓
	BF	FR-2 805 985-A1	09-14-2001	Eurosurgical		✓

Examiner Signature	/Pedro Philogene/	Date Considered	08/16/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete If Known**

Application Number	10/781,507-Conf. #2937
Filing Date	February 18, 2004
First Named Inventor	Rafail Zubok
Art Unit	3733
Examiner Name	J. L. Cumberledge
Attorney Docket Number	SPINE 3.0-455 CIP CONT VI

Sheet	2	of	5
-------	---	----	---

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
/P.P./	AT*	US-2003/0195632-A1	10-16-2003	Foley et al.	
	AU*	US-2003/0208274-A1	11-06-2003	Davis	
	AV*	US-2003/0216810-A1	11-20-2003	Ralph et al.	
	AW*	US-2003/0229358-A1	12-11-2003	Errico et al.	
	AX*	US-2003/0229397-A1	12-11-2003	Davis	
	AY*	US-2004/0002761-A1	01-01-2004	Rogers et al.	
	AZ*	US-2004/0010254-A1	01-15-2004	Cook et al.	
	AA1*	US-2004/0024462-A1	02-05-2004	Ferree et al.	
	AB1*	US-2004/0034426-A1	02-19-2004	Errico et al.	
	AC1*	US-2004/0117022	06-17-2004	Marnay et al.	
	AD1*	US-2004/0148028	07-29-2004	Ferree et al.	
	AE1*	US-2004/0215198-A1	10-28-2004	Marnay et al.	
	AF1*	US-2004/0220567-A1	11-04-2004	Eisemann et al.	
	AG1*	US-20040010316-A1	01-15-2004	William et al.	
	AH1*	US-20040133281-A1	07-08-2004	Khandkar et al.	
	AI1*	US-20040176777	09-09-2004	Zubok et al.	
	AJ1*	US-20040176778	09-09-2004	Zubok et al.	
	AK1*	US-20040176843	09-09-2004	Zubok et al.	
	AL1*	US-4,759,766	07-26-1988	BUETTNER-JANZ ET AL.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	†*
		Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)				
/P.P./	BG	FR-2 824 261-A1	11-08-2002	Ldr Medical		✓
/P.P./	BH	WO-91/13598	09-19-1991	Jbs Sa		

Examiner Signature	/Pedro Philogene/	Date Considered	08/16/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

Application Number	10/781,507-Conf. #2937
Filing Date	February 18, 2004
First Named Inventor	Rafail Zubok
Art Unit	3733
Examiner Name	J. L. Cumberledge
Attorney Docket Number	SPINE 3.0-455 CIP CONT VI

Sheet	3	of	5
-------	---	----	---

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code (if known)			
/P.P./	AM1*	US-4,759,769	07-26-1988	Hedman et al.	
	AN1*	US-4,917,704	04-17-1990	Frey et al.	
	AO1*	US-4,955,908	09-11-1990	Frey et al.	
	AP1*	US-5,002,576	03-26-1991	Fuhrmann et al.	
	AQ1*	US-5,246,458	09-21-1993	Graham	
	AR1*	US-5,370,697	12-06-1994	Baumgartner et al.	
	AS1*	US-5,514,180	05-07-1996	Heggeness et al.	
	AT1*	US-5,534,029	07-09-1996	Shima	
	AU1*	US-5,683,465	11-04-1997	Shinn et al.	
	AV1*	US-5,782,832	07-21-1998	Larsen et al.	
	AW1*	US-5,888,223	03-30-1999	Bray, Jr.	
	AX1*	US-5,888,226	03-30-1999	Rogozinski	
	AY1*	US-5,893,889	04-13-1999	Harrington	
	AZ1*	US-5,895,428	04-20-1999	Berry	
	AA2*	US-5,916,267	06-29-1999	Tienboon et al.	
	AB2*	US-5,928,284	07-27-1999	Mehdizadeh	
	AC2*	US-5,989,291	11-23-1999	Ralph et al.	
	AD2*	US-6,063,121	05-16-2000	Xavier et al.	
	AE2*	US-6,066,175	05-23-2000	Henderson et al.	

[illegible]

Date Considered	08/16/2009
-----------------	------------

063826

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				<b>Complete if Known</b> Application Number 10/781,507-Conf. #2937 Filing Date February 18, 2004 First Named Inventor Rafail Zubok Art Unit 3733 Examiner Name J. L. Cumberledge Attorney Docket Number SPINE 3.0-455 CIP CONT VI	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>					
Sheet	4	of	5		

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.†	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code* († if known)			
/P P/	AF2*	US-6,096,080	08-01-2000	Nicholson et al.	
	AG2*	US-6,156,067	12-05-2000	Bryan et al.	
	AH2*	US-6,214,005-B1	04-10-2001	Benzel et al.	
	AI2*	US-6,235,059	05-22-2001	Benezech et al.	
	AJ2*	US-6,395,030-B1	05-28-2002	Songer et al.	
	AK2*	US-6,425,920	07-30-2002	Hamada	
	AL2*	US-6,432,106-B1	08-13-2002	Fraser	
	AM2*	US-6,440,168	08-27-2002	Cauthen	
	AN2*	US-6,468,310	10-22-2002	Ralph et al.	
	AO2*	US-6,562,073-B2	05-13-2003	Foley	
	AP2*	US-6,576,017-B2	06-10-2003	Foley et al.	
	AQ2*	US-6,579,321	06-17-2003	Gordon et al.	
	AR2*	US-6,716,245-B2	04-06-2004	Pasquet et al.	
	AS2*	US-6,730,127	05-04-2004	Michelson	
	AT2*	US-6,793,678-A1	09-21-2004	Hawkins	
	AU2*	US-6,981,990	01-03-2006	Keller et al.	
	AV2*	US-6,994,727-B2	02-07-2006	Khandkar et al.	
	AW2*	US-7,022,139	04-04-2006	Errico et al.	

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature	/Pedro Philogene/	Date Considered	08/16/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO. Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.56(a)(2)(ii)) because that application was filed after June 30, 2003 or is available in the IFW. \* Applicant's unique citation designation number (optional). See Kinetic Codes of USPTO Patent Documents at [www.uspto.gov/oei/oei101.04](http://www.uspto.gov/oei/oei101.04). \* Enter Office that issued the application. \* Enter the date of the first publication of the application. \* Enter the date of the first publication of the prior art of the Examiner, which precedes the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \* Applicant is to place a check mark here if English/Language Translation is attached.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				<b>Complete if Known</b> Application Number 10/781,507-Conf. #2937 Filing Date February 18, 2004 First Named Inventor Rafail Zubok Art Unit 3733 Examiner Name J. L.Cumberledge Attorney Docket Number SPINE 3.0-455 CIP CONT VI	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)					
Sheet	5	of	5		

[illegible]

Examiner Signature	/Pedro Philogene/	Date Considered	08/16/2009
--------------------	-------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.